

1 **J. GARY GWILLIAM (SBN 33430)**  
2 **RANDALL E. STRAUSS (SBN 168363)**  
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11 **Attorneys for Plaintiff**

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**UNITED STATES DISTRICT COURT FOR THE**  
**NORTHERN DISTRICT OF CALIFORNIA**

**MICHAEL GRESSETT,**

**Plaintiff,**

**vs.**

**CONTRA COSTA COUNTY; CONTRA**  
**COSTA COUNTY DISTRICT**  
**ATTORNEYS' OFFICE; CITY OF**  
**MARTINEZ; CITY OF MARTINEZ**  
**POLICE DEPARTMENT; STATE OF**  
**CALIFORNIA; THE OFFICE OF THE**  
**ATTORNEY GENERAL FOR THE**  
**STATE OF CALIFORNIA; ROBERT**  
**KOCHLY; PAUL SEQUEIRA; BRIAN**  
**BAKER; GENE GREENWALD; DARRYL**  
**JACKSON; PAUL MULLIGAN; TOM**  
**SIMONETTI; ERIC GHISLETTA; JON**  
**SYLVIA; JOYCE BLAIR; PETER**  
**FLORES; WILLIAM DANIEL**  
**O'MALLEY; TOM MCKENNA;**  
**O'MALLY & MCKENNA LAW OFFICE**  
**and DOES 1-100,**

**Defendant**

**Case No.: 3:12-cv-03798-EMC**

**Stipulation to Continue Case Management**  
**Conference and to Set Hearing on Motions**  
**to Dismiss and Briefing Schedule ; ORDER**

**Date: November 9, 2012**

**Time: 1:30 p.m.**

**Courtroom: 5, 17<sup>th</sup> Floor**

**Judge: Hon. Edward M. Chen**

1 THE PARTIES, BY AND THROUGH THEIR ATTORNEYS OF RECORD, HEREBY  
2 STIPULATE AS FOLLOWS:

3 The parties have agreed to continue the November 2, 2012 case management conference  
4 to November 9, 2012 at 1:30 p.m. The parties have further agreed to set the hearing on the  
5 Defendants' Motions to Dismiss the Complaint for the same date, November 9, 2012 at 1:30  
6 p.m..

7 The parties have stipulated to allow five (5) additional pages to the briefs on the Motions  
8 to Dismiss due to the number and complexity of issues in this case. The briefing schedule for all  
9 Motions to Dismiss will be as follows:

10 Defendants will file their Motions on September 7, 2012.

11 Plaintiff will file his oppositions to all of the motions on October 5, 2012.

12 Defendants will file their replies by October 19, 2012.

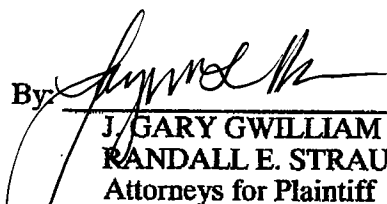
13 The hearing will be held at the same time as the case management conference on  
14 November 9, 2012 at 1:30 p.m.

15 The parties agree that this stipulation is valid when signed in counterparts.

16  
17 IT IS SO STIPULATED.

18 DATED: 8/27/12

19 G.WILLIAM, IVARY, CHIOSSO,  
20 CAVALLI & BREWER

21 By:   
22 J. GARY GWILLIAM  
23 RANDALL E. STRAUSS  
Attorneys for Plaintiff

24 DATED: August 27, 2012

25 LOW, BALL & LYNCH

26 By:   
27 DALE L. ALLEN, JR.  
28 DIRK D. LARSEN

1 KEVIN P. ALLEN  
2 Attorneys for Defendants  
3 City of Martinez, Tom Simonetti, Eric Ghisletta, and Jon Sylvia

4 ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA

5 DATED:

8/27/12

6 By: 

7 TYLER B. PON  
8 Attorney for Defendants  
9 State of California, Joyce Blair and Peter Flores

10 MCNAMARA, NEY, BEATTY, SLATTERY,  
11 BORGES & AMBACHER LLP

12 DATED:

13 By:

14 JAMES V. FITZGERALD  
15 Attorney for Defendant Tom McKenna

16 DATED:

BOLEY LAW

17 By:

18 TODD BOLEY  
19 Attorney for Defendants  
20 Contra Costa County, Contra Costa County District Attorney's Office  
21 Robert Kochly, Paul Sequeira, Brian Baker, Gene Greenwald, Darryl Jackson, Paul Mulligan

22 DATED:

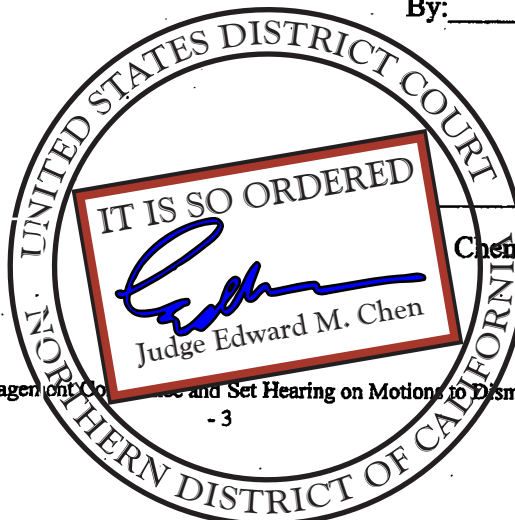
GIBBONS & CONLEY

23 By:

24 Austin R. Gibbons  
25 Attorney for Defendant  
26 Dan O'Malley

27 IT IS SO ORDERED.

28 DATED:



Stipulation to Continue Case Management Conference and Set Hearing on Motions to Dismiss and Briefing Schedule

1 KEVIN P. ALLEN  
2 Attorneys for Defendants  
3 City of Martinez, Tom Simonetti, Eric Ghisletta, and Jon Sylvia


4 ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA

5 DATED:

6 By: \_\_\_\_\_  
7 TYLER B. PON  
8 Attorney for Defendants  
9 State of California, Joyce Blair and Peter Flores

10 MCNAMARA, NEY, BEATTY, SLATTERY,  
11 BORGES & AMBACHER LLP

12 DATED: 8/27/12

13 By:   
14 JAMES V. FITZGERALD  
15 Attorney for Defendant Tom McKenna

16 BOLEY LAW

17 DATED:

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19 TODD BOLEY  
20 Attorney for Defendants  
21 Contra Costa County, Contra Costa County District Attorney's Office  
22 Robert Kochly, Paul Sequeira, Brian Baker, Gene Greenwald, Darryl Jackson, Paul Mulligan

23 GIBBONS & CONLEY

24 DATED:

25 By: \_\_\_\_\_  
26 Austin R. Gibbons  
27 Attorney for Defendant  
28 Dan O'Malley

IT IS SO ORDERED.

DATED: \_\_\_\_\_  
Honorable Edward M. Chen

1 KEVIN P. ALLEN  
2 Attorneys for Defendants  
3 City of Martinez, Tom Simonetti, Eric Ghisletta, and Jon Sylvia

4 ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA

5 DATED:

6 By: \_\_\_\_\_

7 TYLER B. PON  
8 Attorney for Defendants  
9 State of California, Joyce Blair and Peter Flores

10 MCNAMARA, NEY, BEATTY, SLATTERY,  
11 BORGES & AMBACHER LLP

12 DATED:

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15 Attorney for Defendant Tom McKenna

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20 Contra Costa County, Contra Costa County District Attorney's Office  
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22 DATED:

23 GIBBONS & CONLEY

24 By: \_\_\_\_\_

25 Austin R. Gibbons  
26 Attorney for Defendant  
27 Dan O'Malley

28 IT IS SO ORDERED.

DATED:

\_\_\_\_\_  
Honorable Edward M. Chen

City of Martinez, Tom Simonetti, Eric Ghisletta, and Jon Sylvia

ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA

DATED:

By: TYLER B. PON

Attorney for Defendants  
State of California, Joyce Blair and Peter Flores

MCNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP

DATED:

By: JAMES V. FITZGERALD  
Attorney for Defendant Tom McKenna

BOLEY LAW

DATED:

By: TODD BOLEY

Attorney for Defendants  
Contra Costa County, Contra Costa County District Attorney's Office  
Robert Kochly, Paul Sequeira, Brian Baker, Gene Greenwald, Darryl Jackson, Paul Mulligan

GIBBONS & CONLEY

DATED: 8/24/12.

By: Austin R. Gibbons  
Attorney for Defendant  
Dan O'Malley

IT IS SO ORDERED.

DATED:

Honorable Edward M. Chen